

2013 DRAFTING REQUEST

Senate Joint Resolution

Received: **10/5/2012** Received By: **smiller**
Wanted: **As time permits** Same as LRB:
For: **petrowski (608) 266-2502** By/Representing: **tim fiocchi**
May Contact: Drafter: **smiller**
Subject: **Constitutional Amendments** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Petrowski@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of a department of transportation and a transportation fund (2nd Consideration)

Instructions:

see 2011 AJR 31 (LRB 11-0463)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller 10/9/2012	csicilia 10/16/2012		_____			
/1			rschluet 10/16/2012	_____	sbasford 10/16/2012	srose 1/17/2013	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Joint Resolution

Received: **10/5/2012** Received By: **smiller**
Wanted: **As time permits** Companion to LRB:
For: **Jerry Petrowski (608) 266-2502** By/Representing: **tim fiocchi**
May Contact: Drafter: **smiller**
Subject: **Constitutional Amendments** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
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May Contact: Drafter: smiller
Subject: Constitutional Amendments Addl. Drafters:
Extra Copies:

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Pre Topic:

No specific pre topic given

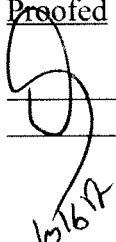
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/?	smiller 10/9/2012	1 csicilia 10/16 12	1 cjs 10/16 12	 10/16/12			

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Joint Resolution

Received: 10/5/2012 Received By: smiller
Wanted: As time permits Companion to LRB:
For: Jerry Petrowski (608) ~~266-1102~~ By/Representing: tim fiocchi
May Contact: 6-2502 Drafter: smiller
Subject: Constitutional Amendments Addl. Drafters:
Extra Copies:

Submit via email: YES Sen
Requester's email: Rep Petrowski@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Creation of a department of transportation and a transportation fund (2nd Consideration)

Instructions:

see 2011 AJR 31 (LRB 11-0463)

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	smiller						

FE Sent For:

<END>

Miller, Steve

From: Fiocchi, Tim
Sent: Thursday, October 04, 2012 10:55 AM
To: Miller, Steve
Subject: SJR draft
Attachments: ajr31.pdf

Hi Steve,

Please prepare the second consideration draft for the transportation protection amendment.

Thank you,

Tim

Tim Fiocchi
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502



2011 ASSEMBLY JOINT RESOLUTION 31

See STR 23

April 19, 2011 - Introduced by Representatives PETROWSKI, ENDSLEY, KNILANS, FARROW, KESTELL, JACQUE, ZIEGELBAUER, NYGREN, NERISON, SPANBAUER, T. LARSON, PETRYK, THIESFELDT, LEMAHIEU, KLEEFISCH, STRACHOTA, BALLWEG, STEINEKE, BIES, KAUFERT, BROOKS, WILLIAMS, VAN ROY, TRANEL, KLENKE, KERKMAN, RIVARD, HONADEL, JORGENSEN and ZEPNICK, cosponsored by Senators HOPPER, LAZICH, OLSEN, SCHULTZ, LEIBHAM, HARS DORF and HANSEN. Referred to Committee on Transportation.

- 1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV and
2 section 11 of article VIII of the constitution; **relating to:** creation of a
3 department of transportation, creation of a transportation fund, and deposit of
4 funds into the transportation fund (first consideration).

Analysis by the Legislative Reference Bureau

Currently, the revenues generated by use of the state transportation system may be deposited into any fund as provided by law. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires that such revenues be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

-
- 5 **Resolved by the assembly, the senate concurring, That:**
6 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9
7 (1) of article IV.
8 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:

1 [Article IV] Section 9 (2) The legislature shall provide by law for the
2 establishment of a department of transportation and a transportation fund.

3 **SECTION 3.** Section 11 of article VIII of the constitution is created to read:

4 [Article VIII] Section 11. All funds collected by the state from any taxes or fees
5 levied or imposed for the licensing of motor vehicle operators, for the titling,
6 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of
7 roadways, highways, or bridges, and from taxes and fees levied or imposed for
8 aircraft, airline property, or aviation fuel or for railroads or railroad property shall
9 be deposited only into the transportation fund or with a trustee for the benefit of the
10 department of transportation or the holders of transportation-related revenue
11 bonds, except for collections from taxes or fees in existence on December 31, 2010,
12 that were not being deposited in the transportation fund on that date. None of the
13 funds collected or received by the state from any source and deposited into the
14 transportation fund shall be lapsed, further transferred, or appropriated to any
15 program that is not directly administered by the department of transportation in
16 furtherance of the department's responsibility for the planning, promotion, and
17 protection of all transportation systems in the state except for programs for which
18 there was an appropriation from the transportation fund on December 31, 2010. In
19 this section, the term "motor vehicle" does not include any all-terrain vehicles,
20 snowmobiles, or watercraft.

21 **SECTION 4. Numbering of new provision.** If another constitutional
22 amendment ratified by the people creates the number of any provision created in this
23 joint resolution, the chief of the legislative reference bureau shall determine the
24 sequencing and the numbering of the provisions whose numbers conflict.

1 ***Be it further resolved, That*** this proposed amendment be referred to the
2 legislature to be chosen at the next general election and that it be published for 3
3 months previous to the time of holding such election.

4 (END)



2011 SENATE JOINT RESOLUTION 23

(ENROLLED J. R. 4)

April 20, 2011 – Introduced by Senators HOPPER, LAZICH, OLSEN, SCHULTZ, LEIBHAM, HARSDORF and HANSEN, cosponsored by Representatives PETROWSKI, ENDSLEY, KNILANS, FARROW, KESTELL, JACQUE, ZIEGELBAUER, NYGREN, NERISON, SPANBAUER, T. LARSON, PETRYK, THIESFELDT, LEMAHIEU, KLEEFISCH, STRACHOTA, STEINEKE, BIES, KAUFERT, BROOKS, WILLIAMS, VAN ROY, TRANEL, KLENKE, KERKMAN, RIVARD, HONADEL, JORGENSEN and ZEPNICK. Referred to Committee on Transportation and Elections.

1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV and
2 section 11 of article VIII of the constitution; **relating to:** creation of a
3 department of transportation, creation of a transportation fund, and deposit of
4 funds into the transportation fund (first consideration).

Analysis by the Legislative Reference Bureau

Currently, the revenues generated by use of the state transportation system may be deposited into any fund as provided by law. This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, requires that such revenues be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

5 **Resolved by the senate, the assembly concurring, That:**

6 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9
7 (1) of article IV.

8 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:

1 [Article IV] Section 9 (2) The legislature shall provide by law for the
2 establishment of a department of transportation and a transportation fund.

3 **SECTION 3.** Section 11 of article VIII of the constitution is created to read:

4 [Article VIII] Section 11. All funds collected by the state from any taxes or fees
5 levied or imposed for the licensing of motor vehicle operators, for the titling,
6 licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of
7 roadways, highways, or bridges, and from taxes and fees levied or imposed for
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9 be deposited only into the transportation fund or with a trustee for the benefit of the
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19 this section, the term "motor vehicle" does not include any all-terrain vehicles,
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21 **SECTION 4. Numbering of new provision.** If another constitutional
22 amendment ratified by the people creates the number of any provision created in this
23 joint resolution, the chief of the legislative reference bureau shall determine the
24 sequencing and the numbering of the provisions whose numbers conflict.

1 ***Be it further resolved, That*** this proposed amendment be referred to the
2 legislature to be chosen at the next general election and that it be published for 3
3 months previous to the time of holding such election.

4 (END)

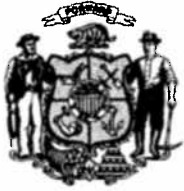
2011-2012 Wisconsin Legislature

Senate Joint Resolution 23

To renumber section 9 of article IV; and to create section 9 (2) of article IV and section 11 of article VIII of the constitution; **relating to:** creation of a department of transportation, creation of a transportation fund, and deposit of funds into the transportation fund (first consideration).

Status: S-Enrolled**History**

- 4/20/2011 Sen.** Introduced by Senators Hopper, Lazich, Olsen, Schultz, Leibham, Harsdorf and Hansen;
Cosponsored by Representatives Petrowski, Endsley, Knilians, Farrow, Kestell, Jacque, Ziegelbauer, Nygren, Nerison, Spanbauer, T. Larson, Petryk, Thiesfeldt, LeMahieu, Kleefisch, Strachota, Steineke, Bies, Kaufert, Brooks, Williams, Van Roy, Tranel, Klenke, Kerkman, Rivard, Honadel, Jorgensen and Zepnick
- 4/20/2011 Sen.** Read first time and referred to committee on Transportation and Elections
- 5/10/2011 Sen.** Public hearing held
- 5/12/2011 Sen.** Executive action taken
- 5/12/2011 Sen.** Report adoption recommended by committee on Transportation and Elections, Ayes 4, Noes 0
- 5/12/2011 Sen.** Available for scheduling
- 5/16/2011 Sen.** Placed on calendar 5-17-2011 pursuant to Senate Rule 18(1)
- 5/17/2011 Sen.** Read a second time
- 5/17/2011 Sen.** Ordered to a third reading
- 5/17/2011 Sen.** Rules suspended
- 5/17/2011 Sen.** Read a third time and adopted, Ayes 26, Noes 6
- 5/17/2011 Sen.** Senator Kapanke added as a coauthor
- 5/17/2011 Sen.** Ordered immediately messaged
- 5/17/2011 Asm.** Received from Senate
- 5/17/2011 Asm.** Read
- 5/17/2011 Asm.** Rules suspended and taken up
- 5/17/2011 Asm.** Read a second time
- 5/17/2011 Asm.** Ordered to a third reading
- 5/17/2011 Asm.** Rules suspended
- 5/17/2011 Asm.** Read a third time and concurred in, Ayes 82, Noes 11, Paired 4
- 5/17/2011 Asm.** Ordered immediately messaged
- 5/18/2011 Sen.** Received from Assembly concurred in
- 5/19/2011 Sen.** Report correctly enrolled on 5-19-2011
- 5/26/2011 Sen.** Deposited in the office of the Secretary of State on 5-26-2011
- 6/6/2011 Sen.** Published 8-7-2012, 9-4-2012, 10-2-2012. Enrolled Joint Resolution 4



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-02007

SRM:.....

gjs

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 SENATE JOINT RESOLUTION

in 10-9

Please fix request sheet as shown on request sheet

GEN CAT

- 1 **Relating to:** creation of a department of transportation, creation of a transportation
2 fund, and deposit of funds into the transportation fund (second consideration).

Analysis by the Legislative Reference Bureau

EXPLANATION OF PROPOSAL

This proposed constitutional amendment, to be given second consideration by the 2013 legislature for submittal to the voters in November 2014, was first considered by the 2011 legislature in 2011 Senate Joint Resolution 23, which became 2011 Enrolled Joint Resolution 4.

The amendment requires that the revenues generated by use of the state transportation system be deposited into a transportation fund, and requires the legislature to create such a fund and a department of transportation.

PROCEDURE FOR SECOND CONSIDERATION

When a proposed constitutional amendment is before the legislature on second consideration, any change in the text approved by the preceding legislature causes the proposed constitutional amendment to revert to first consideration status so that second consideration approval would have to be given by the next legislature before the proposal may be submitted to the people for ratification [see joint rule 57 (2)].

If the legislature approves a proposed constitutional amendment on second consideration, it must also set the date for submitting the proposed constitutional amendment to the people for ratification and must determine the question or questions to appear on the ballot.

1 Whereas, the 2011 legislature in regular session considered a proposed
2 amendment to the constitution in 2011 Senate Joint Resolution 23, which became
3 2011 Enrolled Joint Resolution 4, and agreed to it by a majority of the members
4 elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 9 of article IV of the constitution is renumbered
 section 9 (1) of article IV.

SECTION 2. Section 9 (2) of article IV of the constitution is created to
 read:

 [Article IV] Section 9 (2) The legislature shall provide by law for the
 establishment of a department of transportation and a transportation
 fund.

SECTION 3. Section 11 of article VIII of the constitution is created to
 read:

 [Article VIII] Section 11. All funds collected by the state from any
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 fees levied or imposed for aircraft, airline property, or aviation fuel or for
 railroads or railroad property shall be deposited only into the
 transportation fund or with a trustee for the benefit of the department of
 transportation or the holders of transportation-related revenue bonds,
 except for collections from taxes or fees in existence on December 31, 2010,
 that were not being deposited in the transportation fund on that date.
 None of the funds collected or received by the state from any source and
 deposited into the transportation fund shall be lapsed, further
 transferred, or appropriated to any program that is not directly
 administered by the department of transportation in furtherance of the
 department's responsibility for the planning, promotion, and protection of
 all transportation systems in the state except for programs for which there
 was an appropriation from the transportation fund on December 31, 2010.
 In this section, the term "motor vehicle" does not include any all-terrain
 vehicles, snowmobiles, or watercraft.

SECTION 4. Numbering of new provision. If another
 constitutional amendment ratified by the people creates the number of
 any provision created in this joint resolution, the chief of the legislative
 reference bureau shall determine the sequencing and the numbering of
 the provisions whose numbers conflict.

change components to "read only"

*Now, therefore, be it resolved by the senate, the assembly concurring, **That** the foregoing proposed amendment to the constitution is agreed to by the 2013 legislature; and, be it further*

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the Tuesday after the first Monday in November 2014; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: "Creation of a Transportation Fund. Shall section 9 (2) of article IV and section 11 of article VIII of the constitution be created to create of a department of transportation and a transportation fund, and require all revenues generated by the state transportation system to be deposited into the transportation fund?"

(END)

Barman, Mike

From: Fiocchi, Tim
Sent: Thursday, January 17, 2013 11:34 AM
To: LRB.Legal
Subject: Draft Review: LRB -0200/1 Topic: Creation of a department of transportation and a transportation fund (2nd Consideration)

Please Jacket LRB -0200/1 for the SENATE.